



*the City of*  
Greendale

**NOTICE OF PUBLIC HEARING**  
**78 Greendale Appeal From Decision of**  
**Enforcement Official**

Notice is hereby given that the Board of Alderpersons of the City of Greendale, MO, will hold a public hearing, Thursday, April 21, 2016 at 6:30pm, at Incarnate Word Academy in the Cafeteria, located at 2788 Normandy Drive, St. Louis, MO 63121 on the following matter:

- 1. 78 Greendale Appeal From Decision of Enforcement Official of Housing Inspection.**

A copy of the Housing Inspection is available for review at the City of Greendale City Hall, 7309 Natural Bridge Rd. Room 204, St. Louis, MO 63121 during office hours. Copies are also available online at [www.greendale-mo.us](http://www.greendale-mo.us). All interested parties are invited to attend this public hearing and be heard. Persons wishing to make written comments may do so by submitting them to the City Clerk no later than 6:15p.m. on Thursday, April 21, 2016. Persons wishing to make oral comments may do so at the public hearing at the time and place referenced above.

*Ely-Liza Conner*

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Ely-Liza Conner, City Clerk  
City of Greendale  
7309 Natural Bridge, Room 204  
Saint Louis, MO 63121  
(314) 383-2577

Posted this 5<sup>th</sup> day of April 2016 at 11:00 a.m.



7309 NATURAL BRIDGE RM 204 – SAINT LOUIS, MISSOURI 63121  
 Telephone: (314) 383-2577 Fax: (314) 383-2664  
**TREE CITY USA**

March 26, 2016

Ernest & Jamie Rhodes

Bedroom 1: 1 <sup>st</sup> fl	11.2x11.0=123.20	2
Bedroom 2: 1 <sup>st</sup> fl	10.2 x 12.0=122.40	2
Bedroom 3: 2 <sup>nd</sup> fl	12.1x 12.0=144.10	2
Bedroom 4: 2 <sup>nd</sup> fl	12.2x11.0=136.64	2
Bedroom 5: 2 <sup>nd</sup> fl	11.2x12.0=134.40	2
<b>Total Number of Occupants:</b>		<b>10</b>

Property Inspected: #78 Greendale Drive, Greendale, MO 63121  
 Inspection Date: March 24, 2016  
 Inspection Type: Residential (Property for Sale)

Mr. and Mrs. Rhodes;

On the above date, an Occupancy inspection revealed the following violations of the adopted Municipal Codes of the City of Greendale, Missouri. The following items needs to be abated before the property can be approved for an Occupancy Permit.

INSPECTION NOT APPROVED FOR OCCUPANCY		
	PREDICATIONS	CODE
<b>EXTERIOR - PREMISES</b>		
1	Remove all accumulated leaves from around the entire property	515.180(d)
2	Replace broken concrete steps and walk walkway at sidewalk entry (Permit required)	515.180(b)(3)
3	Remove dilapidated solar lights from walkway/entry steps	515.180(j)
4	Back fill erosion areas at driveway and approach	515.180(b)(1)
5	Trim tree away from the house of the house	515.180(b)(4)
6	Replace 2 broken concrete slabs in upper driveway (permit required)	515.180(b)(3)
7	Repair foundation wall near gutter (driveway side)	515.050(8)
8	Clean gutters -filled with tree debris	515.180(b)(1)
9	Remove stumps at side of house (driveway side)	515.180(d)
10	Remove cut brush pile at rear of house (near garage)	515.180(d)
11	Trim/top dead limbs from five (5) trees in rear yard	515.180(b)(4)
12	Replace two (2) concrete slabs at rear patio	515.180(b)(3)
13	Remove accumulation of broken limbs in the rear yard and around detached garage	515.180(d)
14	Clean weeds/grass from cracks in driveway and patio and seal cracks (with the exceptions of those noted to replace with new concrete.	515.180(b)(3)
15	Raise cable line at rear door	55.120(i)(4)
16	Have license electrician raise meter base – check electrical runs throughout house; provide report to city hall after closing.	IRC 3504.2 NEC 230.24B1
17	Re-router gutter to prevent water drainage to neighbors property at #80 Greendale	515.180(b)(1)
18	<b>DETACHED GARAGE (Demolish of Repair)</b>	515.200
19	A permit is required to Demolish detached Garage	500.040
20	Replace roof and tiles	515.180(b)(1)
21	Replace gutters at rear	515.180(b)(1)
22	Replace broken trim at entry	515.180(g)
23	Saw cut floor and replace broken concrete with new concrete	515.180(d)
24	Tuckpoint exterior walls	515.180(g)

25	Remove shrubbery from rear wall	515.180(d)
26	Remove accumulation of debris, leaf bags, and other material from inside of garage	515.210
27	Interior walls are bowed, need tuck pointing and stabilizing	515.180(g)
28	Remove logs stored at garage wall	515.210 515.230(7)
29	Cause GFCI outlet to work at re-inspection	515.120(a)
	<b>INTERIOR AREAS</b>	
	<b>KITCHEN</b>	
30	Cause GFCI outlet at kitchen sink to operate	515.120(d)
31	Have licensed electrician install additional counter outlets along counter; Every kitchen area shall have a minimum of two (2) grounded type grounded outlets and all outlets located above or near a sink shall be grounded type and shall be grounded.	515.120(d)
	<b>BEDROOMS -1<sup>st</sup>FLOOR</b>	
32	Install working smoke detector in both bedrooms	500.070
33	2 prong outlets to be grounded in bedrooms	515.120(a)
	<b>BATHROOM - 1<sup>st</sup>FLOOR</b>	
34	Have licensed electrician install GFCI outlet at sink	515.120(a)
35	Resurface tub	515.110(b)
36	Cause window to open and remain in open position at re-inspection	515.100(b)
	<b>HALL - 1<sup>st</sup>FLOOR</b>	
37	Install working smoke detector in hall	500.070
	<b>BEDROOMS -2<sup>nd</sup>FLOOR</b>	
38	Install/relocate working smoke detector in all bedrooms - 18" inside doorway	500.070
39	2 prong outlets to be grounded in bedrooms	515.120(a)
	<b>HALL - 2<sup>nd</sup>FLOOR</b>	
40	Install working smoke detector in hall , closer to steps	500.070
41	Install continuous handrail at 1 <sup>st</sup> flight of steps leading to 2 <sup>nd</sup> level	515.160
	<b>BATHROOM - 2<sup>nd</sup>FLOOR</b>	
42	Have licensed electrician install GFCI outlet at sink	515.120(a)
	<b>BASEMENT</b>	
43	Have license electrician upgrade service (permit required from St Louis Electrical Department) Existing Federal Pacific Panel & sub panel	IRC 3504.2 NEC 230.24B1
44	Install laundry sink and hard pipe to floor drain for washing machine- no standpipe for washer discharge	515.050(5)
45	Laundry area shall contain at least one (1) grounded type convenience outlet of twenty (20) ampere rating.	515.120(e)
46	Ceiling outlet shall be made operable or remove (open side of basement)	515.120(a)
47	Install chimney cleanout door and paint basement wall (at boiler)	515.150
48	Install carbon monoxide detector 10'ft from gas boiler	UL2034
49	Repair leak at ceiling stack	515.110(a)
50	Replace damaged ceiling tiles throughout	515.180(g)
51	Install drip leg on water tank	515.080
52	When leak is repair, fire block soil stack at basement ceiling	515.110(a)

53	Install smoke detector at basement landing	500.070
54	Provide city with Laclede Gas Inspection of furnace after closing the sale	
55	With the approval of the Enforcement Official, a transferee may assume responsibility for abating violations of this Code by <i>executing an affidavit stating his/her assumption of this responsibility and establishing a date by which this abatement is to be accomplished and by posting a bond of twenty-five percent (25%) of the estimated cost of abatement except that the bond shall not be less than twenty-five dollars (\$25.00) or greater than one thousand dollars (\$1,000.00). The abatement date shall have the approval of the Enforcement Official.</i>	515.270 (a)(b)
56	Conditional Occupancy: A conditional occupancy permit may be issued by the Enforcement Official if, in his/her judgment, any deficiencies in structures covered by this Chapter would not seriously endanger the health or safety of the occupants or the community, and provided that the occupant makes an affidavit stating that he/she will correct deficiencies within a specified time and thus bring the structure into compliance with the provisions of this Chapter and by <i>posting a bond guaranteeing such compliance as provided elsewhere in this Chapter. The occupant may then occupy the building or dwelling while repairs are being made. At such time as the building or dwelling complies with all the provisions of this Chapter, an occupancy permit will be issued as provided.</i>	515.207(d)
57	<b>ALL MECHANICAL, ELECTRICAL, AND PLUMBING WORK TO BE DONE BY LICENSED CONTRACTORS.</b>	<b>500.040</b>
<b>THIS REPORT IS VALID FOR 180 DAYS - September 25, 2016</b>		

You are hereby notified to make all repairs as listed above within **180 days** of this notice. You must call 314-383-2577, Monday -Thursday 9:30 a.m. - 4:00 p.m. to schedule your re-inspection. If you fail to call within the 180 days allowed, additional fees will be assessed for the re-inspection. If you occupy the building, or allow occupancy, a summons will be issued for you to appear in Municipal Court for failing to complete the required inspection before occupying the structure, Section 500.090 of the Greendale Municipal Code.

If you should have any questions or need further assistance on this inspection please contact my office at the number listed above.

Sincerely,

City of Greendale:

E-COPY

Inspector: Debra M. Irvin, Building Commissioner  
Date Issued: March 26, 2016  
Delivery Service: ( ) US Mail (x) Electronic Mail ( ) Hand Deliver/Pickup  
Email: [pat@prumac.com](mailto:pat@prumac.com)

The Appeal for Building Inspection dated  
March 26, 2016 on  
78 Greendale Drive, MO 63121

To All It May Concern:

I believe the only objective here is to ensure that the buyer is acquiring a safe, habitable property. There are some repairs that are currently under negotiation between the buyer and us, which are mentioned in Greendale's report. Please understand that we make no claim that the subject property is perfect. However, we do not feel that the condition of the property is as it would appear based on the code violations cited. Therefore, we respectfully request that the items cited on the above reference report be reconsidered.

- **Garage—Items #18, 19, 20, 21, 22, 24, 27:**

- The garage does not need to be demolished. It is not a very pretty garage, but it also is not a safety hazard.
  - The roof on the house was just replaced due to hail damage in 2013 or 14. The garage roof was inspected by both the contractor and the insurance company's agent at that time and neither felt that it needed repair or replacement (20)
  - Long before we acquired the property—before even Mr. Dyson of 74 Greendale acquired his property, the garage at 78 Greendale was damaged in a fire. As was customary at that time, the owners rebuilt the garage themselves and they were not very good brick layers. The back wall is not plumb. When we purchase the subject property the back wall looked exactly as it does today and the City of Greendale did not feel the wall was an issue at the time. That garage wall has not changed nor moved, (27)
  - The decorative tiles around the edge of the roof line are all that is left of the original clay tile roof. They have been broken and chipped since before our purchase of the property. (20)
  - Missing trim around the garage does not seem to represent a safety hazard. (22)
- I'll grant that tuckpointing may well be in order and the gutter would do well to be tacked back up. However, as the garage appears to be an Accessory Unit under section 515.200 of the Code, I do not understand why anything related to the garage would be an occupancy permit condition, especially as this is not the type of garage with a finished room above it so no one will occupy it.

- **Concrete—Items #2, 6, 12, 14, 23:**

- Items number 2, 6, 12 and 23 call for the complete replacement of the following sections of concrete: stairs and walkway at sidewalk (2), two broken concrete slabs in upper driveway (6), two concrete slabs at rear patio (12), and the report requires that the garage floor cracks be saw cut, removed and replaced with new concrete.
- Item number 14 requires that weeds and grass be removed from the cracks in driveway and patio and that any cracks be sealed with the exceptions of those noted to be replaced with new concrete.
- The section of the Code that applies to paved surfaces is 515.180, subsection (b)(3). It states:
  - *B.3 Paved areas. Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled or necessary repairs or replacement carried out.*
- All of the concrete at the subject property will *afford safe passage under normal use and weather conditions*.
- For maintenance and general upkeep, removing weeds, filling cracks and touching up the front walkway are all good recommendation. However, none of it has deteriorated to the point that it represents a safety hazard.

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- **Electrical—Items #16, 29, 30, 31, 33, 34, 39, 42, 43, 45, 46**
  - Item #16, raise electric meter—under negotiation
  - Electrical requirements fall under Section 515.120 of the Code. Section A, specifically states:
    - *Generally. Electrical fixtures, devices, wiring and systems existing shall be maintained in a safe working condition and in a manner which will avoid a potential source of ignition or shock and shall be properly connected to a reasonable, adequate source of electrical power. Any old, deteriorated, unused or unapproved materials and equipment shall be removed or replaced, as may be required, with approved materials and equipment. Existing electrical installations or systems shall further be installed in accordance with approved National Electrical Code and any other State, County or local standards in force at the time of installation. Any alterations, major repairs or additional installations shall comply with the requirements of the National Electrical Code and the Building Code in existence at the time the work is performed. Fixed wiring, equipment, fixtures and devices shall be firmly secured to the surface on which mounted. Electrical wiring and equipment shall be protected against excessive current demands by properly rated over-current devices installed in approved locations. All panel boards shall be kept free from encumbrances and shall be accessible at all time.*
  - The electrical at the house is older and certainly could be updated. However, under section 515.120(a), the code ‘grandfathers’ older properly installed electrical systems as acceptable.
    - Since this code is based on Ordinance No 246, Chapter 13, 8-19-1980 predating the purchase of the subject property by us, it seems Greendale must have been following this “grandfathering” of the electrical systems of this house. More specifically:
      - Item #31, requiring two GFCI in Kitchen—515.120(d)
      - Item #34, adding an outlet in the main floor bath (there is no outlet)—515.120(a)
      - Item #45, requiring 20amp ground outlet in the laundry room—515.120(e), and
      - Items #33 and 39, requiring the two prong outlets to be grounded.
    - It does not seem proper to now require these items when clearly the house was exempt previously.
  - Items numbers #29, 30, 42 are all for the GFCI outlets to be installed and/or functioning properly. These are part of the negotiations between the buyer and us. We are expecting that these will be fixed prior to closing.
  - Item number 43 requiring replacement of Federal Pacific Panel in also under negotiation.
  - Item number 46 references a not working outlet in the basement, but all appear to be functional.
- **Plumbing—Items #35, 44, 49, 51:**
  - Item #35 is calling for the main floor bathroom tub to be resurfaced. The section of the code cited is 515.110(b), which states:
    - *B. Responsibility Of Occupants And Owner Of Premises. Every occupant of premises shall be responsible for the exercise of proper care and cleanliness in the use and operation of all plumbing fixtures, sanitary facilities, appliances and equipment therein. This liability on the part of the occupant shall not relieve the owner of the responsibility of remedying any defect, nor of any other liability imposed upon the owner by law, but it shall subject the occupant to the penalties of this Chapter upon proof of any willful or malicious act he/she has performed.*Resurfacing is not mentioned, only keeping clean.
  - Item #44 states “Install laundry sink and hard pipe to floor drain for washing machine- no standpipe for washer discharge.” This item references section 515.050(5) of the code. This section discusses the

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space and usage requirements of the basement, but does not mention specifics on how the code is to be met. The predication seems to imply that there is no sink, pipes or standpipe, though all of these items are present in the laundry room and have been for a number of years

- *515.050(b)(5) Basements and cellars. Every basement and cellar shall be maintained in a safe and sanitary condition. Water shall not be permitted to accumulate or stand on the floor. All sewer connections shall be properly trapped. All cellar and slab drains shall be covered with grating. Junk, rubbish and waste shall not be permitted to accumulate to such an extent as to create a fire hazard or to endanger health or safety.*
- Items #49, 51 are repairs that are also under negotiations.
  
- **Safety—Items #32, 37, 38, 40, 41, 47, 48, 52, 53:**
  - Nearly every items noted above we expected with be completed prior to close, though negotiations are still in the works.
    - Installing smoke detectors (32, 37, 38, 40 and 53)
    - Installing carbon monoxide detector (48)
    - Install continuous handrail at 1st flight of steps leading to 2nd level (41)
    - Chimney sweep-out door (47) is something that we also expect to be completed by close, though adding the requirement that wall also be painted does not appear to be part of this section of the code—515.150:
      - *Every supplied facility, fixture, system, piece of equipment or utility and every chimney and chimney flue shall be maintained in a safe, sound and sanitary working condition consistent with the requirements of this Chapter.*
    - Item # 52, “When leak is repair, fire block soil stack at basement ceiling” is also part of the negotiations.
  
- **Yard Work—Items #1, 3, 4, 5, 9, 10, 11, 13, 25, 28**
  - Item #1, Remove leaves which references section 515.180(d):
    - *D. Plant Growth. Heavy undergrowth and accumulations of plant growth which are obnoxious or detrimental to health shall be eliminated. Lawns, yards or other premises bearing grass or combinations of grass and weeds or weeds shall be cut to a height not to exceed six (6) inches. Any trees or portions thereof located on private property and constituting a hazard to persons or property shall be removed.*

While it is customary to remove leaves from a yard, this section of the Code does not specifically require that the leaves be removed. Leaves left in a yard actually enrichen the topsoil. Where leaves have been left alone, there is rich, dark soil not a hazard of any sort.

  - Item #3, “Remove dilapidated solar lights from walkway/entry steps,” this citing referenced section 515.180(j), which specifically states:
    - *Stairways And Porches. Every stairway, inside or outside of the dwelling, and every porch shall be kept in a safe condition and sound repair.*

These lights were brand new last fall. It is true that they did not hold up as well as we would have liked, but citing them as an actual concern does not seem justified. They are off of the steps in the flower bed and do not represent a hazard of any sort.

  - Item #4, Back fill erosion areas at driveway and approach. There indeed may be some erosion along the left-hand side of the driveway, but that is not part of the subject property.
  - Item #5 and #11, tree trimming is under negotiations.

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- Items 9, 10, 13 and 28 are removing of yard waste and is expected to be completed prior to close.
- Item #25 requires shrubs to be removed citing the above section of the Code, but this does not seem to be required either.
- **Other—Items # 7, 8, 15, 17, 26, 36, 50, 54, 57:**
  - Item #7 is repair foundation wall near gutter (driveway side) citing 515.050(b)(8)
    - *B.8 Foundation, exterior walls and roofs. The foundation, exterior walls and roof shall be watertight and protected against rodents and shall be kept in sound condition or repair and shall be free of any other condition which admits rain or dampness to the interior portions of the building. The foundation walls shall adequately support the building at all points. All exterior surface material must be treated, painted in a workmanlike manner, or otherwise maintained in a sound condition. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls. All cornices, rustications, quoins, moldings, belt courses, lintels, sills, oriel windows, pediments, gutters and similar projections shall be kept in good repair and free from defects and deterioration which make them hazardous and dangerous or which make them a nuisance.*
  - This is another item that is under negotiation and that we expect will be fixed by closing. However, there is nothing about this small section of molding that broke away that makes any part of the house hazardous or dangerous.
  - Item #8, Clean gutters. They should be cleaned out, but it seems unnecessary to cite the issue.
  - Item #15 Raise cable line. This can be done, but it may be more reasonable to simply remove. That line has not been a functioning line in many years.
  - Item #17 is for a gutter downspout to be re-routed so as to not damage the property at #80 Greendale. General drainage code is cited, though this exact issue is not addressed. While the gutter can be repositioned, it might be worth noting that it is place where it is to best protect both the properties at 78 and 80 Greendale. The water has safe passage down a concrete track and does not run under #80's driveway or next to the foundation of the #78.
  - Remove accumulation of debris, leaf bags, and other material from inside of garage (26)
    - The items in the garage combined together are smaller than a MiniCooper. There are very few items left in the garage. The few leaf bags and the box for the new bathroom sink had been moved into the garage to get out of the rain. It seems a bit much to cite this a "Nuisance."
  - Cause window to open and remain in open position at re-inspection (36)
    - Expected to be repaired by close.
  - Item #50, "Replace damage ceiling tiles throughout" references section 515.180(g) of the code. This section does mention walls and ceilings, but does not seems to be specifically addressing ceilings in a basement. I could not find a requirement that there be any "ceiling" in the basement. I may have missed it as I am not an expert at these Building Codes, however, this citing also does not seem necessary or consistent with the Code.
  - Item #54 did not provide a Code citing but request a copy of the Laclede gas inspection. The buyer is obtaining those.
  - The last item on the report (57) states that section 500.040 requires that all mechanical, electrical and plumbing work be completed by licensed contractors. This section of the Code speaks to the various required permits and fees for construction work, but does not appears to reference the required use of licensed contractors. It is worth noting that requiring licensed contractors versus the work simply being "completed to Code" significantly increases the cost of any desired repairs.



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There are valid citations within the report, nearly all of which are under negotiation or already planned repairs. However, if the rest of this report is not sufficiently adjusted this contract on 78 Greendale house will very likely fall through. Unfortunately, if the contract fails, we have run out of money to continue to pay for the house any longer. As was disclosed previously, we remain upside-down on the house. It is estimated that before any repairs, we will have to bring in between \$10-15k just to close the deal. As it is, we do not have this money and are relying on borrowing money from an individual that our realtor knows. Fixing every item listed on this occupancy inspection is not possible, nor necessary. With a purchase price of only \$121,500, expecting either the buyer or the seller to be able to put in \$15,000 to \$30,000 in repairs in under six-months does not seem reasonable.

The property at 78 Greendale has been on the market for a long time. There has been only one other offer on the house, and it was so low that foreclosure was more workable. The current contract represents a sale to an individual that intends to occupy the property as his primary residence. If this sale falls through, we all lose. Sale of 78 Greendale exactly as is without a single repair is still far better for the neighborhood than the alternative of it becoming a bank-owned property. If the sale goes through, the house will no longer be vacant and the sale is helpful to property values throughout the neighborhood. Foreclosure is an awful outcome for all. A bank will not complete any repairs to the property, but will just keep discounting the price until someone has both enough money to purchase it and make the required repairs in the six-month's time.

Once again we respectfully request that the occupancy inspection report be reconsidered. Your time and consideration of this appeal are greatly appreciated. Please let us know if you need any additional information.

Ernest & Jamie Rhodes